

Draft Minutes Detroit Board of Police Commissioners
Date of Meeting: Thursday, September 24, 2020 – 3:00 PM
Location: Zoom Virtual Meeting Platform

BOPC Chairperson Willie Bell called the BOPC Board Meeting to order at 3:00 PM (September 24, 2020)

Detroit Board of Police Commissioners' Membership / Attendance	Attend	Not-Attend
Willie E. Bell, Chairperson	Yes	
Annie Mae Holt, Vice-Chairperson	Yes	
Darryl D. Brown	Yes	
Shirley A. Burch	Yes	
Willie E. Burton (3:15 p.m.)	Yes	
Lisa Carter	Yes	
William M. Davis	Yes	
Evette Griffie	Yes	
Jesus Hernandez	Yes	
Jim Holley	Yes	
Martin Jones	Yes	
Quorum (Yes)	11	

The Board acting in accordance with its rules approved the Agenda for Thursday, September 24, 2020.

Chairperson Bell called the meeting to order and invited Chaplain Samuel Wilson to provide the invocation. Chairperson Bell also called for a moment of silence in recognition and tribute to U.S. Supreme Court Justice Ruth Bader Ginsburg (posthumously).

INVOCATION: Chaplain Samuel Wilson

I. MOTION: To approve the Agenda.

Motion: Commissioner Holley **Second:** Commissioner Griffie **Discussion:** None.

Yes: Chairperson Bell, Vice-Chairperson Holt, Commissioner Brown, Commissioner Burch, Commissioner Burton, Commissioner Carter, Commissioner Davis, Commissioner Griffie, Commissioner Hernandez, Commissioner Holley, and Commissioner Jones

No: None.

VOTE: Yes = 11 No = 0 **Motion: PASSED**

II. MOTION: To approve the September 17, 2020, Meeting Minutes with necessary corrections.

Motion: Commissioner Holley **Second:** Commissioner Jones **Discussion:** None.

Yes: Chairperson Bell, Vice-Chairperson Holt, Commissioner Burch, Commissioner Carter, Commissioner Hernandez, Commissioner Holley, and Commissioner Jones

No: Commissioner Brown, Commissioner Burton, and Commissioner Davis

VOTE: Yes = 8 No = 3 **Motion: PASSED**

The Board considered the following Business Items:

- Introduction of BOPC Staff
- Introduction of Chief of Police and DPD Staff
- Introduction of Elected Officials, VIPs, civic leaders or their representatives

Chairperson's Report: Chairperson Bell provided remarks highlighting important topics including but not limited to civilian oversight of law enforcement, police reform initiatives-DPD's partnership with the CAPP (Community and Police Partnership Advocacy Program) organization, important DPD updates and invitations, news, and information for the Board and the community's awareness. Chairperson Bell also discussed the importance of law enforcement training on mental health, mental illness, and its impact on the criminal justice system and the community at large.

Commissioner Griffie also highlighted remarks regarding her participation on the panel discussion hosted by the Wayne State University's Levin Center and Damon J. Keith Center for Justice special panel on Detroit Police Oversight, outlining the importance of civilian oversight of law enforcement and the Board's importance development and the critical importance of developing fair, unbiased, and effective policing.

III. Motion: To approve Chief of Police James E. Craig's Recommendation to promote to the Ranks of Detective.

- Officer Steven L. Pierce
- NPO Romel A. Randolph
- Police Officer Eric P. Bromley
- Police Officer Pamela J. Muriel
- Police Officer Kenneth E. Cheatham
- Police Officer Eric M. Smigielski
- Police Officer Brian A. Kussy
- Police Officer Viera L. Brownlee
- Police Officer Brandolyn C. Johnson
- Police Officer Kevin V. Alfrey

Motion: Vice-Chairperson Holt **Second:** Commissioner Griffie **Discussion:** None.

Yes: Chairperson Bell, Vice-Chairperson Holt, Commissioner Brown, Commissioner Burch, Commissioner Burton, Commissioner Carter, Commissioner Davis, Commissioner Griffie, Commissioner Hernandez, Commissioner Holley, and Commissioner Jones
No: None.

VOTE: Yes = 11 No = 0 **Motion: PASSED**

IV. Motion: To approve Chief of Police James E. Craig's Recommendation to promote to the Ranks of Detective.

- Police Officer Richard W. Schwab
- Corporal Antaeus R. Evans
- Police Officer Gina B. Gibson
- Police Officer Tamara K. Tillerson
- Police Officer Dieasree M. Curry
- Police Officer Mohammed M. Salem
- Police Officer Tony R. Jackson
- Promote Police Officer Joi L. McCoy
- Promote Police Officer Louis J. Terry
- Police Officer Michael E. Panackia

Motion: Vice-Chairperson Holt **Second:** Commissioner Griffie **Discussion:** None.

Yes: Chairperson Bell, Vice-Chairperson Holt, Commissioner Brown, Commissioner Burch, Commissioner Burton, Commissioner Carter, Commissioner Davis, Commissioner Griffie, Commissioner Hernandez, Commissioner Holley, and Commissioner Jones
No: None.

VOTE: Yes = 11 No = 0 **Motion: PASSED**

V. Motion: To approve Chief of Police James E. Craig's Recommendation to promote to the Ranks of Detective.

- Police Officer Steven S. Triner
- Police Officer Shamar B. Carey
- Police Officer Harry W. Taylor
- Police Officer Donald L. Clark
- Police Officer William D. Bowers
- Police Officer Deja R. Blackwell

Motion: Vice-Chairperson Holt **Second:** Commissioner Jones **Discussion:** None.

Yes: Chairperson Bell, Vice-Chairperson Holt, Commissioner Brown, Commissioner Burch, Commissioner Burton, Commissioner Carter, Commissioner Davis, Commissioner Griffie, Commissioner Hernandez, Commissioner Holley, and Commissioner Jones
No: None.

VOTE: Yes = 11 No = 0 **Motion: PASSED**

VI. Motion: To Approve Posting of Director of Police Personnel Position.

Motion: Commissioner Holley **Second:** Commissioner Jones **Discussion:** Commissioner Holley asked who was leading the Personnel Division. Chairperson Bell indicated there was no one at this time and that First Assistant Chief Lashinda Stair and Lieutenant James Coles were supplementing on personnel and recruiting.

Yes: Chairperson Bell, Vice-Chairperson Holt, Commissioner Brown, Commissioner Burch, Commissioner Burton, Commissioner Carter, Commissioner Davis, Commissioner Griffie, Commissioner Hernandez, Commissioner Holley, and Commissioner Jones
No: None.

VOTE: Yes = 11 No = 0 **Motion: PASSED**

VII. Motion: To Approve an 8-month extension for the position of Interim Secretary to the Board and Interim Chief Investigator.

Motion: Vice-Chairperson Holt **Second:** Commissioner Griffie **Discussion:** Commissioner Brown moved to amend the motion.

VIII. Amended Motion: To Approve an 8-month extension for the position of Interim Secretary to the Board and Interim Chief Investigator and that the job positions be posted.

Motion: Commissioner Brown **Second:** Commissioner Davis **Discussion:** Commissioner Burton mentioned that the Board voted to post the OCI position last week and the vote passed. Commissioner Griffie referenced the Board was allowed to bring motions back to meetings that have already been decided in previous meetings. Commissioner Davis stated there was an appearance to bypass the City Charter and that vacancies should be posted. Chairperson Bell stated that Commissioner Burton's motion did not pass and the City Law Department distributed a ruling on the matter. Commissioner Brown stated the Board does not have to follow the regular Human Resources' rules and is authorized to appoint people. Commissioner Griffie expressed that given the circumstances surrounding the last Board's Executive Appointment departure, it was in the best interest of the Board to take the appropriate time before filling the vacancy.

Yes: Commissioner Brown, Commissioner Burch, Commissioner Burton, Commissioner Davis, and Commissioner Holley
No: Chairperson Bell, Vice-Chairperson Holt, Commissioner Carter, Commissioner Griffie, Commissioner Hernandez, and Commissioner Jones

VOTE: Yes = 5 No = 6 **Motion: FAILED**

IX. Motion: To Approve an 8-month extension for the position of Interim Secretary to the Board and Interim Chief Investigator.

Motion: Commissioner Holley **Second:** Commissioner Jones **Discussion:** Commissioner Burton that there no evaluation for the interim positions and there was no need to extend the interim positions. Commissioner Griffie cited the status of global pandemic and noted the Board was within its rights to postpone making a decision regarding the postings. Additionally, Commissioner Griffie noted there was no previous record calling into question the competence, evaluation, or qualifications of the Interim Secretary to the Board nor Interim Chief Investigator. Commissioner Davis stated that he did not see a reason why the Board needed to vote on extending the interim positions and that there was an appearance to bypass the City Charter. Chairperson Bell highlighted the number of years of work experience of the (2) interim positions. Commissioner Brown stated the motion was a moot point and required no extension of time in the positions.

Yes: Chairperson Bell, Vice-Chairperson Holt, Commissioner Carter, Commissioner Griffie, Commissioner Hernandez, Commissioner Holley, and Commissioner Jones

No: Commissioner Brown, Commissioner Burton, and Commissioner Davis

Abstention: Commissioner Burch

VOTE:

Yes = 7

No = 3

Abstention = 1

Motion: PASSED

Chief of Police Report: Chief of Police’s Summary of CompStat Data and other Crime Information/DPD Information:

Deputy Chief Marlon Wilson representing Chief of Police James E. Craig reported on the following items: Officers Injured in the Line of Duty; Comp Stat Crime and Statistical Data for the reporting period; COVID-19 impacts (16 members total quarantined; 1, 246 members returned to full duty), and recent critical incidents impacting the Detroit Police Department and the community. See attached Meeting Transcripts for more information.

Comp Stat Data Provided: (See Full Report in Packet) as of September 24, 2020							
Part I Violent Crimes:	Criminal Homicides:	Sexual Assaults:	Aggravated Assaults	Non-Fatal Shootings:	Robbery:	Carjacking:	Total:
Totals:	+23%	-31%	+22%	+52%	-18%	-9%	11% Increase in Part I Violent Crimes
Property I Crimes:	Burglaries:	Larcenies	Motor Vehicle Thefts				Total:
Totals:	-33%	-22%	-14%				-23% Decrease in Part I Property Crime

Deputy Chief Wilson reported the following regarding recent statistics: **Director Christopher Graveline, Professional Standards Bureau: Investigation into Use of Force During Protests**. The Department initiated (32) investigations; (23) investigations are currently opened, (2) complaints were found sustained for misconduct, (1) of which is a criminal matter which was referred to the Wayne County Prosecutor’s Office (WCPO), resulting in felony charges. Additionally, (2) complaints were closed as exonerated; (1) closed as Not Sustained; (1) unfounded; and (2) Administrative Closures due to lack of contact with the complainant.

Commissioner Griffie requested the Department to review the Department’s “no-knock” warrant policy and requested information on how many times “no knock” warrants have been executed over the past (12) months for the Board to make educated and informed decisions regarding the next steps to take toward policy development. **Deputy Chief Wilson** discussed the recent Administrative Message that states that “no-knock” warrants require approval from the Chief of Police before engagement. **Commissioner Griffie** stated the Board should consider whether to allow the use of “no-knock” warrants, and should work in connection with the Department to develop sound policy in honor of Ms. Breonna Taylor given the fatal encounter and recent court ruling in Kentucky. **Commissioner Davis** asked for more information regarding the upcoming event for Corporal Cynthia Gill, assigned to the Tenth Precinct. **Commissioner Davis** asked for an update on Chief of Police Craig’s town hall on Fox news. **Commissioner Holley** asked for clarity based on the question he previously raised last week regarding the policy on “no-knock” warrants. **Commissioner Holley** also asked whether the Department should be concerned by police overtime given the ongoing police protests. **Chairperson Bell** requested further information from Chief of Police James E. Craig and First Assistant Chief Lashinda Stair regarding “no-knock” warrants given the understanding that DPD does not conduct “no-knock” warrants. **Commissioner Griffie** also requested data surrounding the details of the allegation associated with “no-knock” warrants to understand the severity of which they are being used if used at all. **Commissioner Burch** requested an update regarding the Department’s placement of undercover officers in the hot spots where drifting activities continue to occur and the penalties associated with illegal driving activities. **Commissioner Brown** thanked the Department, Deputy Chief Wilson and Assistant Chief Todd Bettison for their service. **Commissioner Brown** requested how the Department can retrieve electronic handheld parking ticket devices, and requested information regarding the Department’s redeployment of Parks’ Detail officers. **Commissioner Burton** requested information on the Department’s equipment purchase through the 1122 Initiative Program.

PRESENTATION(S) TO THE BOARD: A. Interim Chief Investigator Lawrence Akbar, Office of the Chief Investigator

PRESENTATION ON OFFICE OF THE CHIEF INVESTIGATOR: Office of the Chief Investigator Presentation: **Interim Chief Investigator Lawrence Akbar** reported on the following: OCI's Charter-mandated authority to investigate non-criminal citizen complaints; updates regarding OCI Investigative Staff amid COVID-19 public health crisis; OCI *Garrity* Zoom Protocol amid COVID-19; status updates of the complaints involving recent police protests and the status of transfers/investigations; and the OCI Case Statistics during the public health crisis. **Interim Chief Investigator Akbar** also provided Body-Worn Camera (BWCs) statistics: From January 1, 2020-September 3, 2020, OCI has closed (528) complaints filed during 2020, (219) was captured on the BWC system, and further data is forthcoming on year-to-year comparison. **OCI Case Status:** As of September 23, 2020, OCI received (828) complaints during 2020. During the same time in 2019, (895) complaints were received, resulting in a 7% decrease; (67) less complaint investigations; and (1) complaint was filed in association with the Governor's Executive Order. Currently, OCI has (310) cases currently under investigation and (10) cases are over 90 days. Since March 16, 2020, through the current date, the OCI received (600) complaints and have closed (511) complaint investigations. **Interim Chief Investigator Akbar** also noted the presentations are maintained online for public inspection. **Investigator Chief Investigator Akbar** also discussed the various methods in which to file a police misconduct complaint.

Commissioner Davis requested whether Commissioners are still reading cases and requested information on how many Commissioners were reviewing and approving OCI citizen complaint investigations. **Commissioner Brown** requested information regarding the Department's recent promotional package that includes OCI citizen complaint investigations, case dispositions, the accuracy of those dispositions contained in the Management Awareness System (MAS), and whether the OCI is responsible for updating the MAS System. **Commissioner Burch** commented on the availability of other Commissioners to review and evaluate citizen complaint investigations. **Chairperson Bell** noted that if there are any questions regarding the Department's promotion material to submit questions to the Board's Office and the Leadership. **Commissioner Burton** inquired about DPD personnel background.

Report from Interim Board Secretary/Communications Submitted to BOPC as incoming information: Ms. White reported on the following items:

1. Weekly DPD Facial Recognition Report 9/14/20 – 9/20/20
2. Chief of Police James E. Craig's Letter of Recommendation to Promote to the Ranks of Detective (26) and Support Material
3. Detroit Free Press Article "Detroit police, Black Lives Matter protesters reach agreement on Rules of Engagement" dated 9/18/20
4. Facial Recognition Technology Support Material
5. Amnesty International Report on police abuses of BLM peaceful protesters August 2020
6. BOPC Staff Updates
7. City Law Department's Legal Opinion on Abstentions
8. Director of Police Personnel – Job Specification
9. 2020 Annual NACOLE Meeting Confirmation
10. WSU's Levin and Keith Centers special panel on Detroit Police Oversight at 12:15 p.m. Sept. 24, 2020

Commissioner Brown requested for the Board to receive updated current model radios and batteries and encouraged Commissioners to listen to radio activities on police radios.

Unfinished Business.

X. Motion: Call for the Removal of Chairmanship.

Motion: Commissioner Burton **Second:** Commissioner Davis **Discussion:** Chairperson Bell ruled this item out of order. **Commissioner Burton** discussed items regarding the position of Chairperson, hiring practices, the past Inspector General investigation, and the extension of interim positions.

New Business.

XI. Motion: The Board of Police Commissioners draft a resolution to City Council opposing the renewal of the Data Works' Contract.

Motion: Commissioner Brown **Second:** Commissioner Davis **Discussion:** Commissioner Brown explained the Data Works Company which oversees the operation and money the city pays for Facial Recognition Program and Technology. The contract is coming up for renewal. Commissioner Brown described other jurisdictions' with the same demographics banning of the technology system, two misidentifications, and ordinance creation in other municipalities, the Board should ban the use of the FRT Program. Commissioner Griffie explained the two incidents happened prior to the implementation of the Board-approved policy and the impact of the Board's composition of the use-of-force policy. Chairperson Bell expressed that families make investigation inquiries regarding violent crimes committed against their loved ones and the need for the technology to address those concerns. Commissioner Brown stated at the onset of this technology, the Board's authority was usurped.

Yes: Commissioner Brown, Commissioner Burton, Commissioner Davis, and Commissioner Burch

No: Chairperson Bell, Vice-Chairperson Holt, Commissioner Griffie, Commissioner Hernandez, Commissioner Holley, Commissioner Jones, and Commissioner Carter

VOTE: Yes = 4 No = 7 **Motion: FAILED**

Announcements: Chairperson Bell announced the following:

- A. **Next Meeting:** Thursday, October 1, 2020, at 3:00 p.m., BOPC Virtual Meeting
- B. **Next Community Meeting:** Thursday, October 8, 2020, at 3:00 p.m., BOPC Virtual Meeting

Oral Communications/Public Comments.

Chairperson Bell recognized Commissioner Holley. Commissioner Holley moved for adjournment.

Motion: Commissioner Holley **Second:** **Discussion:** None.

VOTE: Yes = 9 No = 0 **Motion: PASSED**

Chairperson Bell adjourned the meeting at 5:07 p.m.